UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.

Steve Swisher :

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Plaintiff(s), : MDL No. 2419

Master Docket No. 1:13-md-2419-FDS

v. :

Honorable F. Dennis Saylor

UNIFIRST CORPORATION, A/D/B/A

UNICLEAN CLEANROOM

SERVICES, NEW ENGLAND COMPOUNDING COMPANY, NEW

HAMPSHIRE PAIN CARE CENTERS

Defendants.

DEMAND FOR JURY TRIAL

CORRECTED SHORT FORM COMPLAINT AGAINST UNAFFILIATED DEFENDANTS

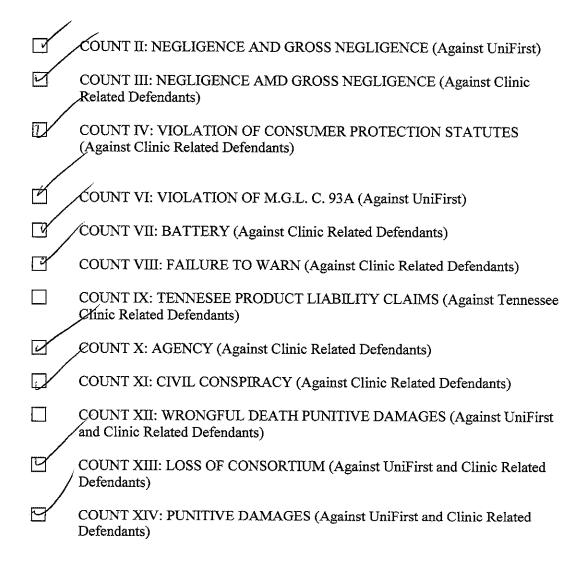
Plaintiff(s), Steve Swisher, complaining against the Defendants, allege(s) as follows:

FIRST COUNT

- 1. Pursuant to MDL Order No. 7, entered in In Re: New England Compounding Pharmacy, Inc. Products liability Litigation, Master Docket No. 1:13-md-2419-FDS, the undersigned counsel hereby submit this Short Form Complaint and Jury Demand against the Defendants, and adopt and incorporate by reference the allegations in the Plaintiffs' Master Complaint, with attachments, and any and all amendments thereto.
 - 2. Plaintiff is a resident of the State of New Hampshire.
 - 3. Plaintiff brings this action: On behalf of himself.
 - 4. Plaintiff asserts that the Plaintiff was administered New England

Compounding Pharmacy, Inc. ("NECC") drug methylprednisolone acetate (hereinafter referred to as "NECC drug"), causing injuries and damages.

- 5. The aforesaid administration of the NECC drug occurred in: October of 2012, at Pain Care Centers New Hampshire, by Dr. David Tung.
- 6. Dr. Tung and healthcare facility Pain Care Centers of New Hampshire are hereinafter collectively referred to as "Clinic Related Defendants."
- 7. Plaintiff(s) adopt(s) and incorporate(s) by reference the following Causes of Action asserted against the Defendants in the Master Complaint:



- 8. Plaintiff claims to have suffered the following injuries as a result of the administration of NECC's drug: Bodily injury, infection, pain, suffering, mental anguish, inconvenience.
- 9. Plaintiff claims to have suffered the following damages as a result of the administration of NECC's drug: Serious injuries, great pain of body and mind, lost earnings and earning capacity, permanent disability and deformity, great inconvenience and past and future hospital, doctors', and/or related expenses incurred in an effort to be cured of said injuries
- 10. The additional designated plaintiff(s) has suffered/have suffered/will continue to suffer the following: future pain and suffering, loss of consortium, future loss wages, continuing medical expenses, future lost profits.

WHEREFORE, Plaintiff(s) demand(s) Judgment against the Defendants awarding compensatory damages, punitive damages, attorneys' fees, interest, costs of suit, and such further relief as the Court deems equitable and just.

Plaintiff(s) reserve the right to amend this Complaint to add allegations and claims against individuals or entities currently omitted and to add or amend allegations against Defendants named herein based, in part, on further discovery.

WHEREFORE, Plaintiff Swisher moves the court for judgment against Defendants, in the sum of FIVE MILLION AND 00/100 DOLLARS (\$5,000,000.00) together with pre- and post-judgment interest and his costs in this behalf expended.

JURY DEMAND

Plaintiff(s) hereby demand(s) a trial by jury.

Respectfully Submitted,

PLAINTIFF(S),

By (Their) Attorneys,

Peter G. McGrath

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Mount Pleasant, SC 29464

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DATE: 8/10/2015